

SCHOOL EVALUATION REPORT
BUFFALO CREEK ACADEMY
CHARTER SCHOOL

VISIT DATE: MAY 8 - 9, 2023 REPORT DATE: JULY 20, 2023



1 Introduction

**2** Charter Background

**3** Executive Summary

4 Academic Performance

**7**Benchmark Summary

# **Appendices**

A: Charter Overview

B: SUNY Renewal Benchmarks



## INTRODUCTION

### **INTRODUCTION**

This School Evaluation Report offers an analysis of evidence collected during the school visit to Buffalo Creek Academy Charter School ("Buffalo Creek") on May 8 – 9, 2023. While the SUNY Charter Schools Institute (the "Institute") conducts a comprehensive review of evidence related to all the State University of New York Charter Renewal Benchmarks (the "SUNY Renewal Benchmarks") near the end of a charter term, most mid-cycle charter school evaluation visits focus on a subset of these benchmarks addressing the academic success of the charter and the effectiveness and viability of the charter school organization. It provides a framework for examining the quality of the educational program, focusing on teaching and learning (e.g., curriculum, instruction, assessment, and services for at-risk students), as well as leadership, organizational capacity, and board oversight. The Institute uses the established criteria on a regular basis to provide schools with a consistent set of expectations leading up to renewal.

Appendix A to the report contains a Charter Overview with descriptive and historical information about the school, as well as background information on the conduct of the visit. Together this information puts the visit in the context of the school's current charter cycle. Appendix B provides the SUNY Renewal Benchmarks.

This report does not contain an overall statement that would specify the school's prospects for renewal. Rather, it serves as a summary of the school's program based on a subset of the SUNY Renewal Benchmarks. The Institute intends this selection of information to be an exception report in order to highlight areas of concern. As such, limited detail about positive elements of the educational program does not indicate the Institute does not recognize the program's overall effectiveness.



Buffalo Creek



## **CHARTER BACKGROUND**

## **BUFFALO CREEK ACADEMY CHARTER SCHOOL**

528 South Park Avenue, Buffalo, NY | Grades: 5-8 | Buffalo City School District

The State University of New York Board of Trustees (the "SUNY Trustees") approved the original charter for Buffalo Creek on October 15, 2019. The charter opened in fall 2020, serving 112 students in 5<sup>th</sup> and 6<sup>th</sup> grade.

## MISSION

Through rigor and structure, Buffalo Creek Academy Charter School prepares  $5^{th} - 12^{th}$  grade students to graduate from college and positively impact our community.

### **CURRENT CHARTER**

Serves: 5<sup>th</sup> – 8<sup>th</sup>

Chartered Enrollment: 280

Charter Expiration: July 31, 2025

#### **KEY DESIGN ELEMENTS**

Rigorous academics that prepare students to excel in and graduate from college;	-
Frequent assessments and a focus on results;	-
Structure and safety within a values-driven, caring community; and,	-
Community engagement and a global perspective.	+



## **EXECUTIVE SUMMARY**

#### **EXECUTIVE SUMMARY**

Based on its baseline performance on the spring 2022 New York State exams, Buffalo Creek does not meet its Accountability Plan goals and the program in place does not provide a high quality educational experience for students. Only 3% of Buffalo Creek students in their second year at the school performed at or above proficiency on the 2022 mathematics exam, 11 points below the district. In addition, the school has not established sufficient instructional leadership supports to build an effective academic program, nor has the school created a safe, welcoming environment for students.

In its original charter application, Buffalo Creek promised to meet the requirements of the New York State Charter Schools Act (the "Act") and work toward achieving its mission and key design elements but Buffalo Creek, in its third year of operation, is failing to meet those promises for families. Although college preparation is one of the school's key design elements, its academic program lacks sufficient rigor to do so. Buffalo Creek's leaders do not hold staff members accountable for high expectations for student performance. The executive director, in collaboration with leadership and the board, paused the school's expansion to serve high school grades citing a need for a stronger academic program and more financial stability. However, Buffalo Creek has not defined metrics or related targets indicating its readiness to open the high school. Buffalo Creek's lack of schoolwide systems and clear metrics to green light an expansion to serve high school grades along with the current low performance of the middle school program raise concerns about the likelihood of opening an academically successful and financially viable high school program in the 2024-25 school year.

Buffalo Creek's current systems for assessment, curriculum, and at-risk programs are ineffective and underdeveloped for a school in its third year of operation. Leaders provide little to no guidance to help teachers deliver a high quality curricular program. The school did not establish a cohesive or comprehensive plan to support students struggling academically, which is the majority of Buffalo Creek's population. The school does not have effective supports in place for incoming students or to accelerate instruction to close learning gaps caused by COVID-19. Students are falling further behind without these supports.

Buffalo Creek has not established a caring community with safety and structure at the forefront of its programming. The Institute observed multiple disruptions to lessons throughout the two day visit, and leaders provide limited support developing classroom management skills. Leaders have not provided the necessary level of professional development, support, coaching, or feedback to develop teachers' skills to provide a high quality educational option to Buffalo Creek families.

Given the school's current performance and program on the ground, Buffalo Creek's renewal status is in jeopardy.



## **ACADEMIC PERFORMANCE**

#### **2021-22 CHARTER PERFORMANCE REVIEW**

At the beginning of the Accountability Period, <sup>1</sup> the school developed and adopted an Accountability Plan that set academic goals in the key subjects of English language arts ("ELA") and mathematics. For each goal in the Accountability Plan, specific outcome measures define the level of performance necessary to meet that goal. Throughout the charter term, the Institute examines results for five required Accountability Plan measures on an annual basis and provides an Accountability Summary to each school detailing the school's progress toward meeting its Accountability Plan goals. Because the Act requires charters be held "accountable for meeting measurable student achievement results" and states the educational programs at a charter school must "meet or exceed the student performance standards adopted by the board of regents" for other public schools, SUNY's required accountability measures rest on performance as measured by statewide assessments. More information about the required Accountability Plan measures can be found on the Institute's website.

In 2021-22, the first year when the charter produced data suitable for analysis on New York State's ELA and mathematics exams, Buffalo Creek came close to meeting its ELA goal and did not meet its mathematics goal. As a result, the school's prospects for earning renewal are currently in jeopardy. In order to establish the best case for renewal, the charter must improve its academic performance from these baseline results. Under the state's Every Student Succeeds Act ("ESSA") accountability system, schools must test at least 95% of students within each accountability group comprising greater than 40 students in order to meet the participation rate criterion. In 2021-22, only 73% of students at Buffalo Creek were tested in ELA and only 72% were tested in mathematics.

Buffalo Creek came close to meeting its ELA goal in 2021-22. With about 40% of students enrolled in at least their second year scoring at or above proficiency on the state's ELA exam, the charter outperformed the district by 11 percentage points but performed under the absolute target of 75%. Buffalo Creek posted an effect size of -0.75 according to the Institute's effect size analysis. This level of achievement is lower than the target of 0.30 and indicates the school performed lower than expected in comparison to demographically similar schools across the state. Notably, no students in 5<sup>th</sup> grade scored at or above proficiency and 70% scored at Level 1, the lowest possible level. The charter must significantly improve the learning of all students to make the most compelling case for renewal.

Buffalo Creek did not meet its mathematics goal in 2021-22 having not met the target for any of the three available measures. That year, only one tested student scored at or above proficiency on the state's mathematics exam. With only 3% of students enrolled in at least their second year scoring at or above proficiency, the charter performed 11 percentage points under the district results and 72 percentage points below the absolute target of 75%. Among all tested students, 79% scored at Level 1, the lowest possible level, indicating performance far below grade level expectations. In comparison to schools across the state enrolling similar percentages of economically disadvantaged students, Buffalo Creek performed lower than expected to a large degree according to the Institute's effect size analysis.

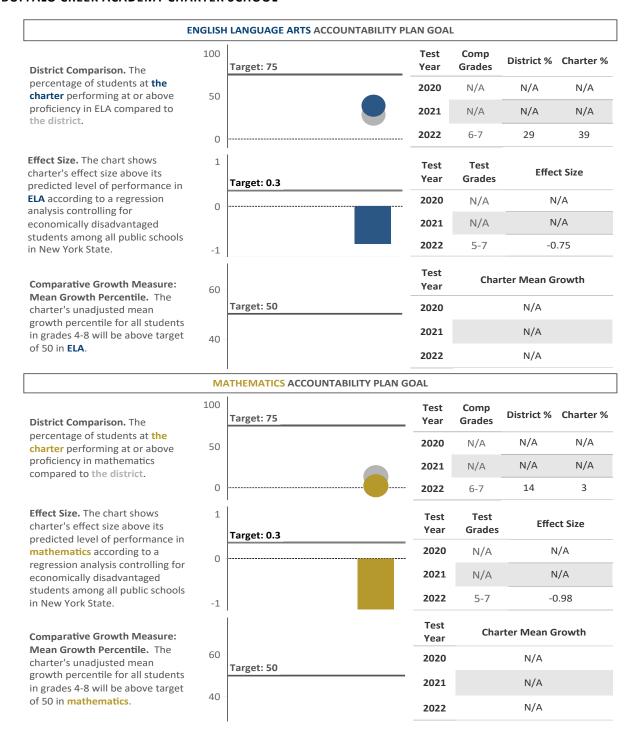
- 1. Because the SUNY Trustees make a renewal decision before student achievement results for the final year of a charter term become available, the Accountability Period ends with the school year prior to the final year of the charter term. In the case of initial renewal, the Accountability Period covers the first four years of the charter term.
- 2. Education Law § 2850(2)(f).
- 3. Education Law § 2854(1)(d).





### **ACADEMIC PERFORMANCE**

#### **BUFFALO CREEK ACADEMY CHARTER SCHOOL**





## **ACADEMIC PERFORMANCE**

#### **BUFFALO CREEK ACADEMY CHARTER SCHOOL**

#### **SCIENCE** ACCOUNTABILITY PLAN GOAL

Science: Comparative Measure. The percentage of students at the charter in at least their second year performing at or above proficiency in science compared to the district.

N/A

SPECIAL POPULATIONS PERFORMANCE*		
	2022	
Students with Disabilities Enrollment	22	
Tested on State Exam	13	
Charter Percent Proficient on ELA Exam	7.7	
District Percent Proficient	6.0	
ELL Enrollment	0	
Tested on NYSESLAT Exam	N/A	
Charter Percent 'Commanding' or Making Progress	N/A	

<sup>\*</sup> The academic outcome data about the performance of students receiving special education services and English language learners ("ELLs") above is not tied to separate goals in the charter school's formal Accountability Plan. The NYSESLAT, the New York State English as a Second Language Achievement Test, is a standardized state exam. "Making Progress" is defined as moving up at least one level of proficiency. Student scores fall into five categories/proficiency levels: Entering; Emerging; Transitioning; Expanding; and, Commanding. In order to comply with Family Educational Rights and Privacy Act regulations on reporting education outcome data, the Institute does not report assessment results for groups containing five or fewer students and indicates this with an "s".



### **QUALITATIVE BENCHMARK ANALYSIS**

The SUNY Renewal Benchmarks, grounded in the body of research from the Center for Urban Studies at Harvard University,<sup>4</sup> describe the elements in place at schools that are highly effective at providing students from low-income backgrounds the instruction, content, knowledge, and skills necessary to produce strong academic performance. The SUNY Renewal Benchmarks, found in Appendix B, describe the elements an effective charter school must have in place at the time of renewal.<sup>5</sup>

#### **ASSESSMENT**

Buffalo Creek does not have an assessment system to improve teaching and learning effectively. The school administers i-Ready as its primary whole school assessment three times per year. The school also uses assessments built into the curricular programs. However, teachers do not regularly administer the curricular unit assessments. For example, one teacher shared that the unit assessments were too difficult and students rarely completed them, so the teacher did not regularly administer the assessments. This response was typical from other teachers and leaders, and leaders recognize the lack of data generally available to understand student performance due to the inconsistent assessment administration. With inconsistencies in its data systems, school leaders and board members are unable to develop a clear understanding of student performance outside of the three i-Ready administrations. When asked about predicting results on the spring 2023 administration of the state mathematics and ELA exams, leaders, teachers, and board members could not give a clear prediction or any measurable goals for performance beyond general improvement. Some teachers predicted performance would decline in some areas.

Teachers make many attempts to effectively use data to drive instruction. Leaders intend to establish common data review meetings with content teams. However, leaders do not consistently hold the meetings as other priorities will sometimes trump the data meetings. The assistant principals also work with teachers to use the personalized student programming in i-Ready for remediation and intervention. The structures in place have the potential to build teachers' skills with data analysis, but the current state of the systems do not yield consistent evidence of leaders effectively supporting teachers in analyzing and using data.

### **CURRICULUM**

Buffalo Creek has a suite of curricular programs in place that do not support teachers with instructional planning. The school also does not have a clear or effective program or framework in place to mitigate interrupted instruction. The school provides teachers with resources for the i-Ready curricular programs for ELA and mathematics including teacher manuals and student workbooks. Leaders expect teachers to create scope and sequence documents over the summer for each course. Teachers and leaders report, for this year, it has been difficult to adhere to the pacing guides because teachers are reteaching previous grade level standards rather than executing a cohesive accelerated learning plan. Teachers have flexibility to adjust

- 4. An extensive body of research, including a <u>report from Harvard</u> and a <u>report from the United States General Accounting Office</u>, identifying and confirming the correlates of effective schools exists dating back four decades.
- 5. Additional details regarding the SUNY Renewal Benchmarks are available on the <u>Institute's website</u>.



the scope and sequence, but leaders have little oversight of changes and adjustments to the curricula. This results in lessons that do not meet the rigor of the state standards. The curriculum does not meet the rigor of grade level standards in part because leaders have not created a sufficient program or framework to mitigate interrupted instruction. The school does implement an intervention block, and leaders expect teachers to design individualized pathways on i-Ready during this time and alternate between mathematics and ELA on a daily basis. The Institute observed consistency in the use of this block and students were fully engaged in the i-Ready work independently. However, leaders have not provided teachers with the tools or support to design a learning experience that both builds foundational, pre-requisite skills and maintains the grade level standard. Teachers report having the tools and time for students to engage in i-Ready practice, but that there are many aspects of the program that teachers have not learned to set up and utilize to make it fully effective.

The school also implements Cambridge International School programming that includes physical education, social emotional learning, global perspectives, and civic studies. While this program may provide rich curricular materials for implementation, the school's implementation of the program is not engaging and purposeful for students as most observations yielded low engagement, rigor, and purpose. Students only have physical education one time per week, which limits the amount of time students leave classrooms to engage in physical activity.

### **PEDAGOGY**

The school's instructional leaders communicate clear expectations for consistent use of lesson elements such as a Do Now with a John Collins, a prescriptive writing framework, writing prompt, posted learning targets, and exit tickets, but the depth of planning and teachers' intellectual preparedness for lesson implementation varies greatly across the school. Few lessons include ample differentiation strategies to support ELLs and students with special learning needs. While some pockets of high-quality instruction exist, most of the instruction at Buffalo Creek is insufficient to address the gap between students' current performance and grade level standards or to prepare them for success in high school and beyond.

As was the case during the spring 2022 Institute visit, the frequency and duration of coaching and classroom observations do not provide instructional leaders with enough insight to ensure teachers implement written plans with fidelity and have the requisite pedagogical skills to adapt plans based on student needs. The Institute, based on evidence gathered from observations and staff member interviews in spring 2023, noted that student behavior varied based on which teacher or leader is in a classroom, demonstrating the school has not equipped teachers with an adequate set of classroom management tools they consistently apply across classrooms. In addition, the Institute observed lessons designed with a heavy focus on seat work and the school's elective block, in addition to the full school day, does not allow for much movement for students as content and elective teachers switch classrooms rather than students moving from one classroom to another. The school chooses this format because leaders do not have clear systems in place to build an effective school culture or monitoring systems that supports students in appropriately moving through the building to switch classes so students remain in classrooms with little movement during the entire school day, with the exception of one day of physical education each week.



Frequent teacher absences and interpersonal conflicts amongst students disrupt the flow of learning and create classroom environments that do not focus on academic achievement. Adults, often other teachers pulled from their planning periods to provide coverage, frequently appear more concerned with finishing material rather than meeting learning objectives. Technology tends to serve as an impediment to effective instruction rather than an enhancement. For example, students regularly use their Chromebooks for tasks not connected to assigned work without being redirected by teachers and some use cellphones, which are not supposed to be available to them during the school day, during lessons. School leaders note that a high percentage of the charter's out-of-school suspensions stem from confrontations centered on social media activity. At the time of the evaluation visit late in the school year, the school had not cemented clear routines and procedures to maximize learning time and enable focus on teaching and learning.

#### **INSTRUCTIONAL LEADERSHIP**

Buffalo Creek lacks strong leadership systems capable of fostering student success. Although leaders and teachers consistently acknowledge a need for improved student outcomes, no specific quantitative goals for achievement or growth exist. Leadership has not established a culture of high expectations in regard to student achievement and teacher performance. Importantly, there is also no sense of urgency to make progress toward fulfilling the goals of the school's charter and ensuring students' future success. This lack of urgency is evident in the frequency with which teachers allow students to opt out of classroom lessons as well as in the significant loss of learning time resulting from poorly established routines.

The school's instructional leadership comprises a principal, two assistant principals, and a director of academic supports who oversees special education services. The chief executive officer ("CEO") is not a member of the instructional leadership team but conducts classroom pop-ins and supervises the director of academic supports. Given the size of the school, this structure would typically be sufficient to support the development of the teaching staff. However, the capacity of Buffalo Creek's instructional leadership is extremely limited as both assistant principals carry full teaching loads. As a result, instructional leaders are not able to provide sustained, systemic, and effective coaching and supervision that improves teachers' instructional effectiveness.

The school requires all teachers to participate in ongoing professional development sessions, but these sessions do not focus on fostering teachers' competencies to advance student achievement. Multiple teachers noted, and a review of artifacts confirmed, that professional development sessions frequently focus on housekeeping items and do not further content knowledge or enhance pedagogical skills. Notably, a professional development session held during the evaluation visit focused on how teachers should complete incident reports to provide sufficient documentation for suspensions, which was in response to teachers' complaints that not enough was done by administration to support with behavioral challenges during class lessons. Leaders do provide opportunities for both grade and content teams to collaborate weekly, but these meetings do not result in consistent implementation of high-quality instructional practices or in the establishment of clear cultural and behavioral norms across the school as leaders do not consistently hold the meetings.



Both the CEO and principal noted plans to relieve assistant principals of teaching responsibilities next school year to focus on developing and supporting teachers as true instructional leaders. While preparing for that transition, the charter invested in external coaching and other supports. However, teaching and learning remains low quality. Leadership also does not have a targeted plan to accelerate instruction to close learning gaps caused by COVID-19 or continued plans to accelerate learning to overcome instructional gaps from the 2021-22 and 2022-23 school years at Buffalo Creek, where teaching and learning causes students to fall even further behind. While there are some attempts to put processes in place, these have not demonstrably shown improvement in student learning or in closing achievement gaps, and leaders do not monitor the efforts to ensure teachers implement the strategies with fidelity or teach to the appropriate rigor of grade level standards.

#### AT-RISK PROGRAM

Buffalo Creek is developing its programming and systems but does not effectively meet the educational needs of all students who are at-risk. The school has clear procedures to identify students with disabilities and students struggling academically, but does not demonstrate evidence of clear procedures for identifying English language learners ("ELLs").

To identify students who are struggling academically, academic leaders review reading and mathematics diagnostic scores and informally survey teachers during grade level team meetings. Once identified, the school uses a multi-tiered intervention system to place students in tiers. Tier 1 provides baseline supports for everyone. Tier 2 provides supports that address gaps in students' learning and behavior. Tier 3 provides consistent academic supports and behavioral supports. The school implements the tiered system according to grade level and staffing needs. Within each of the tiers of support and the implementation across cohorts, the school does not provide an effective system or differentiation strategies to effectively meet the specific and targeted needs of students. Leadership does not provide adequate support and training to teachers to provide effective teaching and learning within the tiered support system.

To identify students with disabilities, Buffalo Creek initiates records requests from previous schools for Individualized Educational Programs ("IEPs"). Once identified, students receive classroom accommodations and academic interventions from a special education teacher and the director of academic support. The school also provides adequate support including speech and occupational therapy. Teachers monitor students using diagnostic data, planned observations of targeted behaviors, samples of student work, and interviews with students, teachers, and parents.

Buffalo Creek does not have a comprehensive ELL program to support ELLs' acquisition of the English language. The school did not administer the New York State Identification Test of English Language Learners but reports having identified ELLs through a home language questionnaire and direct contact with families and students. To support ELLs, staff members who are bilingual assess students' ability to participate in the curriculum or students' difficulty in accessing the curriculum via translation, and the Institute observed students using Google Translate to understand assignments during class lessons.



While the school provides some resources to help teachers support students in accessing the academic program, Buffalo Creek's systems for meeting the needs of at-risk students and tracking and monitoring the effectiveness of its at-risk programming are not effective. At the time of the visit, the Institute observed inconsistent to no differentiation strategies across classrooms. During classroom observations, the Institute did not observe small group instruction or see evidence of consistent strategies for differentiated learning tasks across all classrooms. There is no evidence of intentional co-planning between general education and special education teachers to meet the needs of at-risk students. The academic support team, which consists of the director of academic support and the special education teacher, mostly supports teachers by differentiating assessment questions, tracking services they provide using a service tracker, and providing support to students during instruction, but the team does not have a cohesive plan that interrelates with classroom practices that improve student learning. The school does not establish clear academic goals for each sub-population to increase the impact of at-risk programming on both academic achievement and non-academic growth and success. Additionally, given the inconsistent effectiveness of the use of i-Ready and the analysis of its data across the school as well as the staffing issues, the school's monitoring of the effectiveness of its at-risk program is not evident.

### **ORGANIZATIONAL CAPACITY**

Buffalo Creek's organizational capacity does not effectively support the delivery of the educational program. While the school has identified staffing as an issue, leadership does not effectively differentiate its supports to meet the needs of the school. Staff members fulfill responsibilities across multiple positions that hinder their capacity to meet the unique educational, programmatic, and professional development needs of Buffalo Creek students and teachers. In addition, the school opted to move a small number of students into a secondary "extension" of the 5<sup>th</sup> grade classroom with leaders citing insufficient enrollment to create two classrooms, but too many students to fit in one room. So, an assistant teacher works with approximately 10 students while the lead classroom teacher uses video conferencing from the main lesson into the "extension" classroom. While the assistant teacher worked closely to support student needs, the sound and interaction of students with other peers is limited due to the structure. Overall, this structure leads to an uneven experience for 5<sup>th</sup> grade students, especially those with IEPs, as the "extension" room also houses all the 5<sup>th</sup> grade students with IEPs.

Operationally, leaders have structures and systems to support the educational program, but the school's organizational capacity continues to hinder how the school carries out its academic program. The school's director of operations oversees most of the operational responsibilities with the support of six staff members ensuring that teachers and families know who to go to for what. The school is in the process of improving its discipline systems, policies, and procedures to be reflective of the school's social-emotional learning priorities. However, during the Institute's visit, staff members expressed frustration with the level of support leadership provides to handle behavioral issues.



While teachers and leaders have positive relationships with one another, teachers note a lack of sufficient coaching and professional development for meeting students' academic and social emotional needs. While leaders have a system in place to monitor the progress of different programmatic elements, the results of this work are ineffective as demonstrated by the current issues with the overall educational program and organizational structure.

### **BOARD OVERSIGHT & GOVERNANCE**

The board does not yet have effective practices in place to provide sufficient oversight and monitoring of the school's academic program in reaching its Accountability Plan goals. The board chair along with two trustees resigned abruptly in October 2022. The board currently has a total of six trustees and is actively recruiting to fill two vacant seats. The board recognizes gaps within its current skillset and is seeking new members with experience in finance and education. When asked about priorities, the board did not immediately identify improving academic outcomes for students until the Institute pushed members to reflect on Buffalo Creek's spring 2022 state test results. During the Institute's board interview on the spring 2023 visit, only one member could speak to the school's academic performance and program.

Given the skillset and experiences of the board members, the board has an opportunity to improve its questioning and oversight of the academic program. The board receives information and data from the school in the form of data dashboards. However, the board does not set annual quantifiable targets for student performance or other areas. In March 2023, the board, by recommendation of the executive director, voted to postpone the high school expansion for a year citing a need to build more financial stability. The charter took out a line of credit to support with cash flow due to late payments by the Buffalo Public Schools district. The board made it clear that it needs to see improvement with academics and a better financial position to greenlight the expansion. However, despite having the requisite knowledge to pause an expansion to high school, the board did not provide any specific targets or benchmark checkpoints to understand if the school will have the capacity to open a high school program within the charter's initial charter term. The Institute will follow up with an additional school visit in fall 2023 to evaluate the charter's progress and ability to improve the middle school program and capacity to expand into 9<sup>th</sup> grade.





### BUFFALO CREEK ACADEMY CHARTER SCHOOL BOARD OF TRUSTEES1

**CHAIR** 

**VICE CHAIR** 

TRUSTEES

Jessica Smith

Candice Moppins
Andre Geddes

Cedric Holloway

**TREASURER** 

William Oliver

SECRETARY

Victoria Mueller

### **CHARTER LEADERS**

**PRINCIPAL** 

Erin Lawson, Principal (2022-23 to Present) Antigone Patton-Peek (2020-21 to 2021-22)

### **EXECUTIVE DIRECTOR**

Dr. Christopher Manning, Executive Director (2020-21 to Present)

#### **CHARTER CHARACTERISTICS**

SCHOOL YEAR	CHARTERED ENROLLMENT	ACTUAL ENROLLMENT <sup>2</sup>	ACTUAL AS A PERCENTAGE OF CHARTERED ENROLLMENT	GRADES SERVED
2020-21	112	70	63%	5-6
2021-22	168	123	73%	5-7
2022-23	224	210	94%	5-8

<sup>1.</sup> Source: The Institute's board records at the time of the visit.

<sup>2.</sup> Source: Institute's Official Enrollment Binder. (Figures may differ slightly from New York State Report Cards, depending on date of data collection.)



### **Buffalo Creek Academy Charter School**

### **Buffalo City School District**

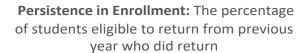
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					District	81	1.6	82	.7
	0								
	_	2020-21	2	2021-22		202	0-21	2021	L-22
		St	udent [	Demograp	hics: Race/E	thnicity			
					Charter	1.4	75.7	10.0	5.7
2020-21	_	•			District	10.6	43.1	22.8	18.0
	_				Charter	5.6	79.4	7.1	5.6
2021-22					District	12.1	42.0	22.8	18.0
	Asian, Native Hawaiian, or Pacific Islander	Black or African American	Hispanic	White		Asian, Native Hawaiian, or Pacific Islander	Black or African American	Hispanic	Whit

<sup>\*</sup> Data reported in these charts reflect BEDS day enrollment counts as reported by the NYSED except for the charter's 2020-21 SWD enrollment and 2021-22 Economically Disadvantaged enrollment which reflect data reported by the education corporation and validated by the Institute.





Data suitable for comparison are not available. The percentage rate shown here is calculated using the method employed by NYCDOE: the total number of students receiving an in school or out of school suspension at any time during the school year is divided by the total enrollment, then multiplied by 100.



## **Expulsions:** The number of students expelled from the charter each year

2021 2022



Buffalo Creek Academy Charter School's Enrollment and Retention Status: 2021-22			Target	Charter
	economically disadvantaged		81.5	100.0
enrollment	English language learners		11.6	2.4
	students with disabilities		19.9	17.5
	economically disadvantaged		94.1	67.1
retention	English language learners		93.3	66.7
	students with disabilities		93.4	93.3

<sup>\*</sup> Data reported in these charts reflect information reported by the education corporation and validated by the Institute.



### **CHARTER SCHOOL VISIT HISTORY**

SCHOOL YEAR	VISIT TYPE	DATE
2020-21	First Year Visit (Virtual)	May 19, 2021
2021-22	Evaluation Visit	May 24, 2022
2022-23	Evaluation Visit	May 8 – 9, 2023

### **CONDUCT OF THE VISIT**

DATE(S) OF REVIEW	EVALUATION TEAM MEMBERS	TITLE
	Andrew Kile	Managing Director of School Evaluation
May 8 – 9, 2023	Vickie Masséus	School Evaluation Analyst
	Natasha Howard	External Consultant

### **CHARTER CYCLE CONTEXT**

CHARTER TERM	ACCOUNTABILITY PERIOD	ANTICIPATED RENEWAL VISIT
Initial	Third Year of a Four Year Accountability Period	Fall 2024



#### **VERSION 5.0, MAY 2012**

#### **INTRODUCTION**

The State University of New York Charter Renewal Benchmarks<sup>1</sup> (the "SUNY Renewal Benchmarks") serve two primary functions at renewal:

- They provide a framework for the Charter Schools Institute (the "Institute") to gather and evaluate evidence to determine whether a school has made an adequate case for renewal. In turn, this evidence assists the Institute in deciding if it can make the required legal and other findings in order to reach a positive recommendation for renewal. For example, the various benchmarks that the Institute uses to determine whether the school has had fiscally responsible practices in place during the last charter period allow the Institute to determine with greater precision whether the school will operate in a fiscally sound manner during the next charter period, a finding that the New York Charter Schools Act requires the SUNY Trustees to make.
- At the same time that the SUNY Renewal Benchmarks provide a framework for the Institute to collect and
  review evidence, they also provide the school with a guide to understanding the Institute's evaluative criteria. As
  the Institute uses the SUNY Renewal Benchmarks (or some sub-set of them) as the framework for conducting its
  ongoing school evaluation visits, school leaders should be fully aware of the content of the Benchmarks at the
  time of renewal.

The SUNY Renewal Benchmarks are organized into four inter-connected renewal questions that each school must answer when submitting a renewal application. The benchmarks further reflect the interwoven nature of schools from an academic, organizational, fiscal and/or legal perspective. For example, the Institute could reasonably place many of the academic benchmarks under the heading of organizational effectiveness. More generally, some redundancy exists because the Institute looks at the same issue from different perspectives.

Precisely how the Institute uses the SUNY Renewal Benchmarks, during both the renewal process and throughout the charter period, is explained in greater detail in the Practices, Policies and Procedures for the Renewal of Charter Schools Authorized by the State University of New York (the "SUNY Renewal Practices"), available on the Institute's website at: <a href="http://www.newyorkcharters.org/renewal/">http://www.newyorkcharters.org/renewal/</a>. Responses to frequently asked questions about the Institute's use of the SUNY Renewal Benchmarks appear below:

- The Institute does not have a point system for recommending renewal. A school cannot simply tally up the number of positive benchmark statements in order to determine the Institute's recommendation
  - Some benchmarks are weighed more heavily than others. In particular, the Institute gives the greatest weight to how well the school has met its academic Accountability Plan goals.

<sup>1.</sup> Research on public school reform, known as the effective schools movement, has embraced the premise that, given certain organizing and cultural characteristics, schools can teach all children the intended curriculum and hold them to high academic standards. Over the decades, the accumulated research into effective schools has yielded a set of common characteristics that all effective schools share. These characteristics are so consistently prevalent among successful schools that they have come to be known as the Correlates of Effective Schools. The Renewal Benchmarks adapt and elaborate on these correlates.



- Despite the fact that the Accountability Plan comprises only a single benchmark, a school's performance
  on that benchmark is critical. In fact, it is so important that while the Institute may recommend nonrenewal for fiscal and organizational failures (if sufficiently serious), excellence in these areas will not
  excuse poor academic performance.
- The Institute does not use every benchmark during every kind of renewal review, and how the benchmarks are used differs depending on a school's circumstances. For example, the Qualitative Education Benchmarks (Benchmarks 1B-1F, 2C and 2D) are given far less weight in making a renewal decision on schools that the Institute has previously renewed. Similarly, less weight is accorded to these benchmarks during an initial renewal review where a school has consistently met its academic Accountability Plan goals.
  - The Institute also may not consider every indicator subsumed under a benchmark when determining if a school has met that benchmark, given the school's stage of development or its previous track record.
- Aside from Benchmark 1A on academic Accountability Plan goals (which is singular in its importance), no school should fear that a failure to meet every element of every benchmark means that it is not in a position to make a case for renewal. To the contrary, the Institute has yet to see a school that performs perfectly in every respect. The Institute appreciates that the benchmarks set a very high standard collectively. While the Institute certainly hopes and expects that schools aim high, it is understood that a school's reach will necessarily exceed its grasp in at least some aspects.

In this fifth edition of the SUNY Renewal Benchmarks, the Institute has made some revisions to the Qualitative Educational Benchmarks, namely those benchmarks used for ongoing school evaluation visits, to streamline the collection of evidence. For example, the Institute has incorporated Student Order and Discipline into Pedagogy, and Professional Development into Instructional Leadership. The Institute has rewritten some of the overarching benchmark statements to capture the most salient aspects of school effectiveness, organizational viability, legal compliance, and fiscal soundness. Some of the bulleted indicators within benchmarks have been recast or eliminated. Finally, the Institute has added some indicators to align the benchmarks with changes in the Charter Schools Act (e.g., provisions in meeting enrollment and retention targets when assigned and abiding by the General Municipal Law).

It is important that the entire school community understand the renewal process. All members of a school's leadership team and board should carefully review both the SUNY Renewal Benchmarks and the SUNY Renewal Practices. Note that a renewal overview document for parents, teacher and community members is also available on the Institute's website at: <a href="http://www.newyorkcharters.org/renewal/">http://www.newyorkcharters.org/renewal/</a>. Please do not hesitate to contact the Institute with any questions.





## RENEWAL QUESTION 1 IS THE SCHOOL AN ACADEMIC SUCCESS?

### 1A - ACADEMIC ACCOUNTABILITY PLAN GOALS

## OVER THE ACCOUNTABILITY PERIOD, THE SCHOOL HAS MET OR COME CLOSE TO MEETING ITS ACADEMIC ACCOUNTABILITY PLAN GOALS.

The Institute determines the extent to which the school has met the Accountability Plan goals in the following areas:

- English language arts;
- mathematics;
- science;
- social studies (high school only);
- NCLB;
- high school graduation and college preparation (if applicable); and
- optional academic goals included by the school.

### **1B - USE OF ASSESSMENT DATA**

# THE SCHOOL HAS AN ASSESSMENT SYSTEM THAT IMPROVES INSTRUCTIONAL EFFECTIVENESS AND STUDENT LEARNING.

The following elements are generally present:

- the school regularly administers valid and reliable assessments aligned to the school's curriculum and state performance standards;
- the school has a valid and reliable process for scoring and analyzing assessments;
- the school makes assessment data accessible to teachers, school leaders and board members;
- teachers use assessment results to meet students' needs by adjusting classroom instruction, grouping students and/or identifying students for special intervention;
- school leaders use assessment results to evaluate teacher effectiveness and to develop professional development and coaching strategies; and
- the school regularly communicates to parents/guardians about their students' progress and growth.

### 1C - CURRICULUM

# THE SCHOOL'S CURRICULUM SUPPORTS TEACHERS IN THEIR INSTRUCTIONAL PLANNING.

The following elements are generally present:

• the school has a curriculum framework with student performance expectations that provides a fixed, underlying structure, aligned to state standards and across grades;



- in addition to the framework, the school has supporting tools (i.e., curriculum maps or scope and sequence documents) that provide a bridge between the curriculum framework and lesson plans;
- teachers know what to teach and when to teach it based on these documents;
- the school has a process for selecting, developing and reviewing its curriculum documents and its resources for delivering the curriculum; and
- teachers plan purposeful and focused lessons.

#### 1D - PEDAGOGY

### HIGH QUALITY INSTRUCTION IS EVIDENT THROUGHOUT THE SCHOOL.

The following elements are generally present:

- teachers deliver purposeful lessons with clear objectives aligned to the school's curriculum;
- teachers regularly and effectively use techniques to check for student understanding;
- teachers include opportunities in their lessons to challenge students with questions and activities that develop depth of understanding and higher-order thinking and problem solving skills;
- teachers maximize learning time (e.g., appropriate pacing, on-task student behavior, clear lesson focus and clear directions to students); transitions are efficient; and
- teachers have effective classroom management techniques and routines that create a consistent focus on academic achievement.

### 1E - INSTRUCTIONAL LEADERSHIP

### THE SCHOOL HAS STRONG INSTRUCTIONAL LEADERSHIP.

- the school's leadership establishes an environment of high expectations for teacher performance (in content knowledge and pedagogical skills) and in which teachers believe that all students can succeed;
- the instructional leadership is adequate to support the development of the teaching staff;
- instructional leaders provide sustained, systemic and effective coaching and supervision that improves teachers' instructional effectiveness:
- instructional leaders provide opportunities and guidance for teachers to plan curriculum and instruction within and across grade levels;
- instructional leaders implement a comprehensive professional development program that develops the competencies and skills of all teachers;
- professional development activities are interrelated with classroom practice;
- instructional leaders regularly conduct teacher evaluations with clear criteria that accurately identify teachers' strengths and weaknesses; and
- instructional leaders hold teachers accountable for quality instruction and student achievement.



### 1F - AT-RISK STUDENTS

### THE SCHOOL MEETS THE EDUCATIONAL NEEDS OF AT-RISK STUDENTS.

- the school uses clear procedures for identifying at-risk students including students with disabilities, English language learners and those struggling academically;
- the school has adequate intervention programs to meet the needs of at-risk students;
- general education teachers, as well as specialists, utilize effective strategies to support students within the general education program;
- the school adequately monitors the progress and success of at-risk students;
- teachers are aware of their students' progress toward meeting IEP goals, achieving English proficiency or school-based goals for struggling students;
- the school provides adequate training and professional development to identify at-risk students and to help teachers meet students' needs; and
- the school provides opportunities for coordination between classroom teachers and at-risk program staff including the school nurse, if applicable.





## RENEWAL QUESTION 2 IS THE SCHOOL AN EFFECTIVE, VIABLE ORGANIZATION?

### 2A - MISSION & KEY DESIGN ELEMENTS

# THE SCHOOL IS FAITHFUL TO ITS MISSION AND HAS IMPLEMENTED THE KEY DESIGN ELEMENTS INCLUDED IN ITS CHARTER.

The following elements are generally present:

- the school faithfully follows its mission; and
- the school has implemented its key design elements.

### **2B - PARENTS & STUDENTS**

### PARENTS/GUARDIANS AND STUDENTS ARE SATISFIED WITH THE SCHOOL.

The following elements are generally present:

- the school regularly communicates each child's academic performance results to families;
- families are satisfied with the school; and
- parents keep their children enrolled year-to-year.

### 2C - ORGANIZATIONAL CAPACITY

## THE SCHOOL ORGANIZATION EFFECTIVELY SUPPORTS THE DELIVERY OF THE EDUCATIONAL PROGRAM.

- the school has established an administrative structure with staff, operational systems, policies and procedures that allow the school to carry out its academic program;
- the organizational structure establishes distinct lines of accountability with clearly defined roles and responsibilities;
- the school has a clear student discipline system in place at the administrative level that is consistently applied;
- the school retains quality staff;
- the school has allocated sufficient resources to support the achievement of goals;
- the school maintains adequate student enrollment;
- the school has procedures in place to monitor its progress toward meeting enrollment and retention targets for special education students, ELLs and students who qualify for free and reduced price lunch, and adjusts its recruitment efforts accordingly; and
- the school regularly monitors and evaluates the school's programs and makes changes if necessary.



### 2D - BOARD OVERSIGHT

# THE SCHOOL BOARD WORKS EFFECTIVELY TO ACHIEVE THE SCHOOL'S ACCOUNTABILITY PLAN GOALS.

The following elements are generally present:

- board members possess adequate skills and have put in place structures and procedures with which to govern the school and oversee management of day-to-day operations in order to ensure the school's future as an academically successful, financially healthy and legally compliant organization;
- the board requests and receives sufficient information to provide rigorous oversight of the school's program and finances;
- it establishes clear priorities, objectives and long-range goals, (including Accountability Plan, fiscal, facilities and fundraising), and has in place benchmarks for tracking progress as well as a process for their regular review and revision;
- the board successfully recruits, hires and retains key personnel, and provides them with sufficient resources to function effectively;
- the board regularly evaluates its own performance and that of the school leaders and the management company (if applicable), holding them accountable for student achievement; and
- the board effectively communicates with the school community including school leadership, staff, parents/ guardians and students.

### **2E - GOVERNANCE**

# THE BOARD IMPLEMENTS, MAINTAINS AND ABIDES BY APPROPRIATE POLICIES, SYSTEMS AND PROCESSES.

- the board effectively communicates with its partner or management organizations as well as key contractors such as back-office service providers and ensures that it receives value in exchange for contracts and relationships it enters into and effectively monitors such relationships;
- the board takes effective action when there are organizational, leadership, management, facilities or fiscal deficiencies; or where the management or partner organization fails to meet expectations; to correct those deficiencies and puts in place benchmarks for determining if the partner organization corrects them in a timely fashion;
- the board regularly reviews and updates board and school policies as needed and has in place an orientation process for new members;
- the board effectively recruits and selects new members in order to maintain adequate skill sets and expertise for effective governance and structural continuity;
- the board implements a comprehensive and strict conflict of interest policy (and/or code of ethics)—consistent with that set forth in the charter and with the General Municipal Law—and consistently abides by them throughout the term of the charter;



- the board generally avoids conflicts of interest; where not possible, the board manages those conflicts in a clear and transparent manner;
- the board implements a process for dealing with complaints consistent with that set forth in the charter, makes the complaint policy clear to all stakeholders, and follows the policy including acting on complaints in a timely fashion;
- the board abides by its by-laws including, but not limited to, provisions regarding trustee election and the removal and filling of vacancies; and
- the board holds all meetings in accordance with the Open Meetings Law and records minutes for all meetings including executive sessions and, as appropriate, committee meetings.

### **2F - LEGAL REOUIREMENTS**

## THE SCHOOL SUBSTANTIALLY COMPLIES WITH APPLICABLE LAWS, RULES AND REGULATIONS AND THE PROVISIONS OF ITS CHARTER.

- the school compiles a record of substantial compliance with the terms of its charter and applicable state and
  federal laws, rules and regulations including, but not limited to, submitting items to the Institute in a timely
  manner, and meeting teacher certification (including NCLB highly qualified status) and background check
  requirements, FOIL and Open Meetings Law;
- the school substantially complies with the terms of its charter and applicable laws, rules and regulations;
- the school abides by the terms of its monitoring plan;
- the school implements effective systems and controls to ensure that it meets legal and charter requirements;
- the school has an active and ongoing relationship with in-house or independent legal counsel who reviews and makes recommendations on relevant policies, documents, transactions and incidents and who also handles other legal matters as needed; and
- the school manages any litigation appropriately and provides litigation papers to insurers and the Institute in a timely manner.





## RENEWAL QUESTION 3 IS THE SCHOOL FISCALLY SOUND?

### 3A - BUDGETING AND LONG RANGE PLANNING

# THE SCHOOL OPERATES PURSUANT TO A LONG-RANGE FINANCIAL PLAN IN WHICH IT CREATES REALISTIC BUDGETS THAT IT MONITORS AND ADJUSTS WHEN APPROPRIATE.

The following elements are generally present:

- the school has clear budgetary objectives and budget preparation procedures;
- board members, school management and staff contribute to the budget process, as appropriate;
- the school frequently compares its long-range fiscal plan to actual progress and adjusts it to meet changing conditions;
- the school routinely analyzes budget variances; the board addresses material variances and makes necessary revisions; and
- actual expenses are equal to, or less than, actual revenue with no material exceptions.

#### 3B - INTERNAL CONTROLS

#### THE SCHOOL MAINTAINS APPROPRIATE INTERNAL CONTROLS AND PROCEDURES.

- the school follows a set of comprehensive written fiscal policies and procedures;
- the school accurately records and appropriately documents transactions in accordance with management's direction, laws, regulations, grants and contracts;
- the school safeguards its assets;
- the school identifies/analyzes risks and takes mitigating actions;
- the school has controls in place to ensure that management decisions are properly carried out and monitors and assesses controls to ensure their adequacy;
- the school's trustees and employees adhere to a code of ethics;
- the school ensures duties are appropriately segregated, or institutes compensating controls;
- the school ensures that employees performing financial functions are appropriately qualified and adequately trained;
- the school has systems in place to provide the appropriate information needed by staff and the board to make sound financial decisions and to fulfill compliance requirements;
- a staff member of the school reviews grant agreements and restrictive gifts and monitors compliance with all stated conditions;
- the school prepares payroll according to appropriate state and federal regulations and school policy;
- the school ensures that employees, trustees and volunteers who handle cash and investments are bonded to help assure the safeguarding of assets; and
- the school takes corrective action in a timely manner to address any internal control or compliance deficiencies identified by its external auditor, the Institute, and/or the State Education Department or the Comptroller, if needed.



### **3C - FINANCIAL REPORTING**

THE SCHOOL HAS COMPLIED WITH FINANCIAL REPORTING REQUIREMENTS BY PROVIDING THE SUNY TRUSTEES AND THE STATE EDUCATION DEPARTMENT WITH REQUIRED FINANCIAL REPORTS THAT ARE ON TIME, COMPLETE AND FOLLOW GENERALLY ACCEPTED ACCOUNTING PRINCIPLES.

The following reports have generally been filed in a timely, accurate and complete manner:

- annual financial statement audit reports including federal Single Audit report, if applicable;
- annual budgets and cash flow statements;
- un-audited quarterly reports of income, expenses, and enrollment;
- bi-monthly enrollment reports to the district and, if applicable, to the State Education Department including proper documentation regarding the level of special education services provided to students; and
- grant expenditure reports.

### **3D - FINANCIAL CONDITION**

THE SCHOOL MAINTAINS ADEQUATE FINANCIAL RESOURCES TO ENSURE STABLE OPERATIONS. CRITICAL FINANCIAL NEEDS OF THE SCHOOL ARE NOT DEPENDENT ON VARIABLE INCOME (GRANTS, DONATIONS AND FUNDRAISING).

- the school maintains sufficient cash on hand to pay current bills and those that are due shortly;
- the school maintains adequate liquid reserves to fund expenses in the event of income loss (generally three months);
- the school prepares and monitors cash flow projections;
- If the school includes philanthropy in its budget, it monitors progress toward its development goals on a periodic basis;
- If necessary, the school pursues district state aid intercepts with the state education department to ensure adequate per pupil funding; and
- the school accumulates unrestricted net assets that are equal to or exceed two percent of the school's operating budget for the upcoming year.





### **RENEWAL QUESTION 4**

IF THE SCHOOL'S CHARTER IS RENEWED, WHAT ARE ITS PLANS FOR THE TERM OF THE NEXT CHARTER PERIOD, AND ARE THEY REASONABLE, FEASIBLE AND ACHIEVABLE?

### 4A - PLANS FOR THE SCHOOL'S STRUCTURE

KEY STRUCTURAL ELEMENTS OF THE SCHOOL, AS DEFINED IN THE EXHIBITS OF THE APPLICATION FOR CHARTER RENEWAL, ARE REASONABLE, FEASIBLE AND ACHIEVABLE.

Based on elements present in the Application for Charter Renewal:

- the school is likely to fulfill its mission in the next charter period;
- the school has an enrollment plan that can support the school program;
- the school calendar and daily schedules clearly provide sufficient instructional time to meet all legal requirements, allow the school to meet its proposed Accountability Plan goals and abide by its proposed budget;
- key design elements are consistent with the mission statement and are feasible given the school's budget and staffing;
- a curriculum framework for added grades aligns with the state's performance standards; and
- plans in the other required Exhibits indicate that the school's structure is likely to support the educational program.

### 4B - PLANS FOR THE EDUCATIONAL PROGRAM

# THE SCHOOL'S PLANS FOR IMPLEMENTING THE EDUCATIONAL PROGRAM ALLOW IT TO MEET ITS ACCOUNTABILITY PLAN GOALS.

Based on elements present in the Application for Charter Renewal:

- for those grades served during the last charter period, the school has plans for sustaining and (where possible) improving upon the student outcomes it has compiled during the last charter period including any adjustments or additions to the school's educational program;
- for a school that is seeking to add grades, the school is likely to meet its Accountability Plan goals and the SUNY Renewal Benchmarks at the new grade levels; and
- where the school will provide secondary school instruction, it has presented a set of requirements for graduation that students are likely to meet and that are consistent with the graduation standards set by the Board of Regents.



### 4C - PLANS FOR BOARD OVERSIGHT AND GOVERNANCE

# THE SCHOOL PROVIDES A REASONABLE, FEASIBLE AND ACHIEVABLE PLAN FOR BOARD OVERSIGHT AND GOVERNANCE.

Based on elements present in the Application for Charter Renewal:

- school trustees are likely to possess a range of experience, skills, and abilities sufficient to oversee the academic, organizational and fiscal performance of the school;
- plans by the school board to orient new trustees to their roles and responsibilities, and, if appropriate, to
  participate in ongoing board training are likely to sustain the board's ability to carry out its responsibilities;
- if the school plans to change an association with a partner or management organization in the term of a future charter, it has provided a clear rationale for the disassociation and an outline indicating how it will manage the functions previously associated with that partnering organization; and
- if the school is either moving from self-management to a management structure or vice-versa, or is changing its charter management organization/educational service provider, its plans indicate that it will be managed in an effective, sound and viable manner including appropriate oversight of the academic and fiscal performance of the school or the management organization.

### **4D - FISCAL & FACILITY PLANS**

# THE SCHOOL PROVIDES A REASONABLE, FEASIBLE AND ACHIEVABLE FISCAL PLAN INCLUDING PLANS FOR AN ADEQUATE FACILITY.

Based on the elements present in the Application for Charter Renewal:

- the school's budgets adequately support staffing, enrollment and facility projections;
- fiscal plans are based on the sound use of financial resources to support academic program needs;
- fiscal plans are clear, accurate, complete and based on reasonable assumptions;
- information on enrollment demand provides clear evidence for the reasonableness of projected enrollment; and
- facility plans are likely to meet educational program needs.

